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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|---|---|---|---|---|
| 09/414,731 | 10/08/1999 | RAVI GANESAN | 23952-0022 | 3780 |

| 29052 7590 05/24/2007 |
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| EXAMINER |
|---|
| LIVERSEDGE, JENNIFER L |

| ART UNIT | PAPER NUMBER |
|---|---|
| 3692 | |

| MAIL DATE | DELIVERY MODE |
|---|---|
| 05/24/2007 | PAPER |

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

| | Application No. | Applicant(s) |
|---|---|---|
| **Office Action Summary** | 09/414,731 | GANESAN ET AL. |
| | Examiner | Art Unit | |
| | Jennifer Liversedge | 3692 | |

*-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --*

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

1)☒ Responsive to communication(s) filed on <u>01 February 2007</u>.

2a)☐ This action is **FINAL**.      2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

4)☒ Claim(s) <u>1-27</u> is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) <u>1-27</u> is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

**Application Papers**

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All   b)☐ Some *  c)☐ None of:

      1.☐ Certified copies of the priority documents have been received.

      2.☐ Certified copies of the priority documents have been received in Application No. _____.

      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

1)☐ Notice of References Cited (PTO-892)

2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3)☒ Information Disclosure Statement(s) (PTO/SB/08)
    Paper No(s)/Mail Date <u>2/1/2007</u>.

4)☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date. _____ .

5)☐ Notice of Informal Patent Application

6)☐ Other: _____.

## DETAILED ACTION

### *Response to Amendment*

A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after allowance or after an Office action under *Ex Parte Quayle*, 25 USPQ 74, 453 O.G. 213 (Comm'r Pat. 1935). Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, prosecution in this application has been reopened pursuant to 37 CFR 1.114. Applicant's submission filed on February 1, 2007 has been entered.

This Office Action is responsive to Applicant's amendment and request for continued examination of Application 09/414,731 filed on February 1, 2007. The claims submitted at the time of the Reinstatement of Appeal, received November 24, 2004 are the claims to be examined in the current Office Action in response to the RCE.

A Response to Requirement for Information 37 CFR 1.105 was received on May 7, 2007. In the response, Applicants clarified the date of the NPL submitted with the RCE on February 1, 2007, titled "Open Financial Exchange Bill Presentment" has a publication date of June 12, 1997.

## *Claim Rejections - 35 USC § 102*

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that

form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1-4 and 6-27 are rejected under 35 U.S.C. 102(b) as being anticipated by

"Open Financial Exchange Bill Presentment" by CheckFree Corp., Intuit Inc., and

Microsoft Corp., June 12, 1997 (further referred to as Open Financial Exchange).

Regarding claims 1, 3-4, 6-7 Open Financial Exchange discloses a network for

electronically presenting bill related information (page 315 section 15.1), comprising:

A central network station configured to transmit bill availability information

identifying available bills of a plurality of different billers for a plurality of different users,

information associated with each of the identified bills of a respective one of the plurality

of different billers being available at one of a first network address associated with the

respective biller and a second network address associated with the respective biller

(page 315 section 15.1; page 325 section 15.4.1; page 326 section 15.4.2.1; page 328

section 15.4.2.2.3); and

A plurality of different user stations, each associated with a respective one of the

plurality of different users, and configured to receive the transmitted bill availability

information for its associated user and to select one of the identified bills (page 315

section 15.1; page 315 section 15.1.2; page 325 section 15.4 and 15.4.1; page 326

section 15.4.2.1; page 328 section 15.4.2.2.3);

Wherein a first of the plurality of user stations, associated with a first of the

plurality of different users, is linked to the first network address associated with a first of

the plurality of different billers based on a first bill selection by the first user station, and

a second of the plurality of user stations associated with a second of the plurality of

different users is linked to the second network address associated with the first biller

based on a second bill selection by the second user station (page 325 section 15.4.1;

page 326 section 15.4.2.1; page 328 section 15.4.2.2.3).


Regarding claims 12-14, Open Financial Exchange discloses a method of

electronically distributing bill related information (page 315 section 15.1), comprising the

steps of:

Centrally receiving initial requests for bills of a plurality of different billers for a

plurality of different users (page 315 section 15.1; page 325 section 15.4.1; page 326

section 15.4.2.1; page 328 section 15.4.2.2.3);

Transmitting, responsive to the received initial requests, bill availability

information, identifying available bills of the plurality of different billers for the plurality of

different users, including a first bill of a first of the plurality of different billers for a first of

the plurality of different users and a second bill of the first biller for a second of the

plurality of different users (page 315 section 15.1; page 325 section 15.4.1; page 326

section 15.4.2.1; page 328 section 15.4.2.2.3);

Receiving a first request relating to the identified first bill of the first biller at a first

network address and a second request relating to the identified second bill of the first

biller at a second network address, different than the first network address (page 315

section 15.1; page 315 section 15.1.2; page 325 section 15.4 and 15.4.1; page 326

section 15.4.2.1; page 328 section 15.4.2.2.3); and

Transmitting information associated with the first bill from the first network

address responsive to the receipt of the first request and information associated with the

second bill from the second network address responsive to the receipt of the second

request (page 315 section 15.1; page 315 section 15.1.2; page 325 section 15.4 and

15.4.1; page 326 section 15.4.2.1; page 328 section 15.4.2.2.3).

Regarding claims 18-19, Open Financial Exchange discloses a system for

electronically distributing bill related information (page 315 section 15.1), comprising:

A memory configured to store identifiers of available bills of a plurality of different

billers for a plurality of different users, and network addresses at which information

associated with the identified bills is available, including a first bill identifier which

identifies a first of the available bills of a first of the plurality of billers for a first of the

plurality of users and a second bill identifier which identifies a second of the available

bills of the first biller for a second of the plurality of users (page 320 – full page; page

325 section 15.4.1; page 326 section 15.4.2.1; page 327 section 15.4.2.2.2 – page 328

Table; page 328 section 15.4.2.2.3); and

A processor configured to direct the transmission of the stored first bill identifier to the first user with a first of the network addresses, and the transmission of the stored second bill identifier to the second user with a second of the network addresses, the first network address being different from the second network address (page 325 section 15.4.1; page 326 section 15.4.2.1; page 328 section 15.4.2.2.3);

Wherein the information associated with the first bill is available at the first network address and the information associated with the second bill is available at the second network address (page 325 section 15.4.1; page 326 section 15.4.2.1; page 328 section 15.4.2.2.3).

Regarding claim 22, Open Financial Exchange discloses a database for storing bill related information (page 319 sections 15.3 and 15.3.1; page 320 full page; page 327 section 15.4.2.2.2 - page 328 Table), comprising:

Identifiers of a plurality of different users (page 319 sections 15.3 and 15.3.1; page 320 full page; page 327 section 15.4.2.2.2 - page 328 Table);

Identifiers of a plurality of available bills of a biller for the plurality of different users (page 319 sections 15.3 and 15.3.1; page 320 full page; page 327 section 15.4.2.2.2 - page 328 Table); and

A network location indicator associated with the one or more of the plurality of available bills and indicating that a network location at which information associated with the one or more bills is available is different than a network location at which information associated with other of the plurality of available bills is available (page 325 section

15.4.1; page 326 section 15.4.2.1; page 327 section 15.4.2.2.2 - page 328 Table; page

328 section 15.4.2.2.3).


Regarding claim 23, 25 and 27, Open Financial Exchange discloses an article of

manufacture for electronically transmitting bill related information (page 315 section

15.1), comprising:

A computer readable storage medium (pages 315-328); and

Computer programming stored in the medium and configured to be readable

from the medium by a computer processor and thereby cause the processor to operate

so as to:

Direct transmissions of a plurality of identifiers of available bills to a plurality of

different billers for a plurality of different users, including a first of the plurality of bill

identifiers which identifies a first of the available bills of a first of the plurality of different

billers for a first of the plurality of different users and a second of the plurality of bill

identifiers which identifies a second of the available bills of the first biller for a second of

the plurality of users (page 319 sections 15.3 and 15.3.1; page 320 full page; page 327

section 15.4.2.2.2 - page 328 Table); and

Direct transmissions of a plurality of different network addresses at which

information associated with the identified available bills is available, including a first of

the plurality of network addresses at which information associated with the identified

first available bill is available to the first user, and a second of the plurality of network

addresses, different than the first network address, at which information associated with

the second available bill is available to the second user (page 325 section 15.4.1; page

326 section 15.4.2.1; page 327 section 15.4.2.2.2 - page 328 Table; page 328 section

15.4.2.2.3).

Regarding claims 2, 16, 21 and 24, Open Financial Exchange discloses the

identified bill of the first biller for the first user is available with supplemental information

at the first network address, and the identified bill of the first biller for the second user is

available without the supplemental information at the second network address (page

327 section 15.4.2.2.2; page 328 section 15.4.2.2.3).

Regarding claims 8 and 15, Open Financial Exchange discloses wherein the bill

availability information identifies available bills without identifying an amount of each of

the bills (page 328 section 15.4.2.2.3 where an aggregate provides one or more URLs

which a user selects in order to access an image of the bill).

Regarding claim 9, Open Financial Exchange discloses wherein:

the bill availability information identifies the total amount of each of the available

bills (page 325 section 15.4.1; page 326 section 15.4.2.1; page 327 section 15.4.2.2.2);

each of the plurality of different user stations is further configured to select one of

the identified bills for payment (page 315 section 15.1; page 315 section 15.1.2; page

325 section 15.4 and 15.4.1; page 326 section 15.4.2.1; page 328 section 15.4.2.2.3);

and

the first and the second user stations are respectively linked to the first and the

second network addresses based on a bill selection for one of viewing and payment of

the selected bill (page 325 section 15.4.1; page 326 section 15.4.2.1; page 328 section

15.4.2.2.3).


Regarding claim 10, Open Financial Exchange discloses wherein the information

associated with each of the identified bills available at the first network address is

promotional information (page 327 section 15.4.2.2.2; page 328 section 15.4.2.2.3) and

the information associated with each of the identified bills available at the second

network address is detailed bill information (page 325 section 15.4.1; page 326 section

15.4.2.1; page 328 section 15.4.2.2.3).


Regarding claims 11 and 17, Open Financial Exchange discloses a database

configured to store the bill availability information (page 319 sections 15.3 and 15.3.1;

page 320 full page; page 327 section 15.4.2.2.2 - page 328 Table) and the central

network station is configured to transmit the stored bill availability information (page 315

section 15.1; page 325 section 15.4.1; page 326 section 15.4.2.1; page 328 section

15.4.2.2.3).


Regarding claims 20 and 26, Open Financial Exchange discloses wherein:

The processor and article of manufacture are further configured to receive

requests for the available bills for the plurality of users including a first request for the

available bills for the first user and a second request for the available bills for the

second user (page 315 section 15.1; page 315 section 15.1.2; page 325 section 15.4

and 15.4.1; page 326 section 15.4.2.1; page 328 section 15.4.2.2.3) and to direct the

transmission of the stored first bill identifier responsive to the received first request and

the stored second bill identifier responsive to the received second request (page 315

section 15.1; page 315 section 15.1.2; page 325 section 15.4 and 15.4.1; page 326

section 15.4.2.1; page 328 section 15.4.2.2.3).

## *Claim Rejections - 35 USC § 103*

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set
> forth in section 102 of this title, if the differences between the subject matter sought to be patented and
> the prior art are such that the subject matter as a whole would have been obvious at the time the
> invention was made to a person having ordinary skill in the art to which said subject matter pertains.
> Patentability shall not be negatived by the manner in which the invention was made.

The factual inquiries set forth in *Graham* v. *John Deere Co.*, 383 U.S. 1, 148

USPQ 459 (1966), that are applied for establishing a background for determining

obviousness under 35 U.S.C. 103(a) are summarized as follows:

1.  Determining the scope and contents of the prior art.
2.  Ascertaining the differences between the prior art and the claims at issue.
3.  Resolving the level of ordinary skill in the pertinent art.
4.  Considering objective evidence present in the application indicating
    obviousness or nonobviousness.

Claim 5 is rejected under 35 U.S.C. 103(a) as being unpatentable over "Open

Financial Exchange Bill Presentment" by CheckFree Corp., Intuit Inc., and Microsoft

Corp., June 12, 1997 (further referred to as Open Financial Exchange).

Regarding claim 5, Open Financial Exchange discloses a plurality of biller

stations associated with different billers wherein the first network address is a network

address associated with the first biller (page 325 section 15.4.1; page 326 section

15.4.2.1; page 328 section 15.4.2.2.3). Open Financial Exchange does not disclose

specifically where a second network address is a network address associated with the

central processing station. However, Open Financial Exchange discloses multiple

associated network addresses (page 325 section 15.4.1; page 326 section 15.4.2.1;

page 328 section 15.4.2.2.3), as well as where a biller may use a bill concentrator

wherein the biller would want its customers to direct their payments to the payment

concentrator (page 324 section 15.3.5). It would be obvious to one of ordinary skill in

the art that a second network address from among multiple network addresses would

be to a site which has been delegated payment receipt tasks. The motivation would be

to provide the network address such that customers would be directed to the site

collecting payment for the biller in order to facilitate the payment process in a direct

manner.

### *Response to Arguments*

No arguments were presented with the RCE.

## *Conclusion*

Any inquiry concerning this communication should be directed to Jennifer Liversedge whose telephone number is 571-272-3167. The examiner can normally be reached on Monday – Friday, 8:30 – 5 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Andrew Fischer can be reached at 571-272-6779. The fax number for the organization where the application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Jennifer Liversedge

Examiner

Art Unit 3692

*(signature)* 5/18/07

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